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10 Attorneys for Defendants  
L'ORÉAL USA, INC. and  
11 L'ORÉAL S.A.

12  
13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA  
15 SAN FRANCISCO DIVISION  
16

17 BARE ESCENTUALS BEAUTY, INC., a  
Delaware corporation,

18 Plaintiff,

19 vs.

20 L'ORÉAL USA, INC., a Delaware corporation,  
21 and L'ORÉAL S.A., a French Société Anonyme

22 Defendants.  
23

Case No. C-07-1669 MMC

**NOTICE OF STIPULATED  
CONTINUANCE OF HEARING FOR  
MOTION TO DISMISS FOR LACK OF  
PERSONAL JURISDICTION AND JOINT  
STIPULATION MODIFYING  
JURISDICTIONAL DISCOVERY  
SCHEDULE; ~~PROPOSED~~ ORDER**

24 Pursuant to the parties' mediation with Michael Traynor on November 12, 2007, the parties  
25 wish to defer the current jurisdictional discovery and motion hearing schedule by one (1) month in  
26 order to focus on settlement discussions.  
27  
28

1 The parties make this request pursuant to Local Rule 7-7(a) and Federal Rule of Civil  
2 Procedure 29, and jointly agree and stipulate to modify the schedule for jurisdictional discovery to  
3 be taken by Plaintiff Bare Escentuals Beauty, Inc. ("Bare Escentuals") concerning Defendant  
4 L'Oréal S.A.'s pending Motion to Dismiss for Lack of Personal Jurisdiction ("Motion to Dismiss"),  
5 and to continue the hearing date for the pending motion as set forth below.

6 1. On October 12, 2007, the parties entered into a stipulation regarding jurisdictional  
7 discovery and a briefing schedule for L'Oréal S.A.'s Motion to Dismiss. The parties agreed that  
8 Plaintiff would be permitted to serve up to ten (10) interrogatories and twenty-five (25) document  
9 requests each to L'Oréal S.A. and L'Oréal USA, Inc., limited to the jurisdictional issues relevant to  
10 L'Oréal S.A.'s Motion to Dismiss.

11 2. On October 15, 2007, Plaintiff served document requests and interrogatories on  
12 Defendants (the "Discovery Requests").

13 3. In light of the parties' mediation and discussion of a possible settlement framework,  
14 L'Oréal S.A. and L'Oréal USA, Inc. will respond to the Discovery Requests seven (7) days after  
15 Defendants inform Plaintiff of Defendants' decision regarding the pending settlement framework,  
16 or on December 14, 2007, whichever is later. Defendants have up to and including December 14,  
17 2007 to inform Plaintiff and the mediator of their decision regarding the settlement framework  
18 discussion.

19 4. For those non-objectionable Discovery Requests, Defendants, without waiving any  
20 arguments, rights, privileges, or objections (or the right to stand on their objections), will use diligent  
21 efforts to complete production of responsive, non-privileged documents for those limited requests by  
22 December 31, 2007. In light of the briefing schedule on the Motion to Dismiss discussed below, the  
23 parties agree to expedite the resolution of any disputes over objections or other discovery issues.

24 5. The parties agree and stipulate that Plaintiff may take up to two (2) depositions each  
25 of Defendants L'Oréal S.A. and L'Oréal USA, Inc. concerning only jurisdictional issues relevant to  
26 L'Oréal S.A.'s Motion to Dismiss. All four jurisdictional depositions shall be limited to four (4)  
27 hours per deponent, and shall be completed no later than February 15, 2008. These jurisdictional  
28 depositions will not count towards the ten (10) depositions provided for in the case management

1 order and Rule 30 of the Federal Rules of Civil Procedure, and the persons so deposed may be  
2 deposed again at a later date regarding substantive issues.

3 6. Pursuant to Local Rule 7-7(a), the hearing date for L'Oréal S.A.'s Motion to Dismiss  
4 shall be continued from February 29, 2008 to **March 28, 2008**, at 9:00 a.m. in Courtroom 7 of the  
5 above-entitled court. Bare Escentuals' opposition to the Motion to Dismiss shall be filed by  
6 February 29, 2008 and L'Oréal S.A.'s Reply shall be filed by March 14, 2008.

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9  
10 Respectfully submitted,

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12  
13 DATED: November 21, 2007

PAUL, HASTINGS, JANOFSKY & WALKER LLP

14 By: /s/ T. Lee Kissman  
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DATED: November 21, 2007

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I attest that concurrence in the filing of this document has been obtained from Joseph M. Morris

By: /s/ T. Lee Kissman  
T. Lee Kissman  
Attorney for Defendants  
L'ORÉAL USA, INC. and L'ORÉAL S.A.

PURSUANT TO STIPULATION, IT IS ORDERED that:

- L'Oréal S.A. and L'Oréal USA, Inc. shall inform Plaintiff of Defendants' decision regarding the proposed settlement structure by December 14, 2007 and shall respond to Plaintiff's interrogatories and document requests that were served on October 15, 2007 seven (7) days after the communication of their decision to Plaintiff or on December 14, 2007 whichever is later;
- Plaintiff shall take no more than two depositions each of Defendants L'Oréal USA and L'Oréal S.A., to be completed by February 15, 2008. Each deposition shall be limited to the jurisdictional issues relevant to L'Oréal S.A.'s Motion to Dismiss and shall be limited to four (4) hours per deponent.
- The hearing date for L'Oréal S.A.'s Motion to Dismiss for Lack of Personal Jurisdiction is continued to March 28, 2008. Plaintiff's opposition to the Motion to Dismiss shall be due by February 29, 2008 and L'Oréal S.A.'s reply shall be due by March 14, 2008.

Dated: November 26, 2007

  
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THE HONORABLE MAXINE M. CHESNEY